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Attorney for Defendants

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

ENVIRONMENTAL PROTECTION
INFORMATION CENTER and
FRIENDS OF THE SHASTA RIVER,

Plaintiffs,

V.

ALECIA VAN ATTA, in her official capacity as Assistant Regional Administrator, California Coastal Office, National Marine Fisheries Service, *et al.*,

Defendants.

CASE NO. 3:22-cv-3520

**STIPULATION AS TO THE DEADLINE FOR DEFENDANTS TO ANSWER OR
OTHERWISE RESPOND TO THE COMPLAINT**

1 Pursuant to Civil Local Rules 6.1 and 5, Plaintiffs, the Environmental Protection
2 Information Center and Friends of the Shasta River (collectively, “Plaintiffs”) and Defendants,
3 Alecia Van Atta, in her official capacity as Assistant Regional Administrator, California Coastal
4 Office, National Marine Fisheries Service (“NMFS”), *et al.* (“Defendants”), hereby stipulate to
5 an extension of Defendants’ deadline to answer or otherwise respond to the Complaint (Dkt. 1)
6 by three business days, through August 31, 2022, and in support state:

- 7 1. Plaintiffs filed their Complaint on June 15, 2022. Dkt. 1.
- 8 2. Plaintiffs served the Complaint on the U.S. Attorney’s Office for the Northern
9 District of California on June 27, 2022.
- 10 3. The deadline for Defendants to file their response or answer is currently August
11 26, 2022. Fed. R. Civ. P. 12(a)(2).

12 4. Good cause exists pursuant to Federal Rule of Civil Procedure 6(b) to extend
13 Defendants’ deadline to file their answer or response through August 31, 2022.

14 5. The undersigned lead attorney for Defendants, J. Brett Grosko, will be out of
15 town and on annual leave August 16, 2022, and August 18, 2022, through August 26, 2022.
16 Additionally, key personnel at NMFS who are assigned to this matter were on leave the week of
17 August 8, 2022, or will be on leave the week of August 15, 2022.

18 Respectfully submitted,

19 TODD KIM
20 Assistant Attorney General
U.S. Department of Justice
21 Environment & Natural Resources Division

22 /s/ J. Brett Grosko
23 J. BRETT GROSKO
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24 Wildlife and Marine Resources Section
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4
5 *Of Counsel*

6 Rachel Morris, Attorney-Advisor
7 Laurie Beale, Attorney-Advisor
U.S. Department of Commerce
8 National Oceanic and Atmospheric Administration
9 Office of General Counsel, Northwest Section
Seattle, Washington

10
11 /s/ *Peter M. K. Frost*

12 THOMAS EDGERTON WHEELER, *pro hac vice*
13 Environmental Protection Information Center
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15 Tel: (707) 822-7711
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16 PETER M.K. FROST, *pro hac vice*
17 SANGYE INCE-JOHANNSEN, *pro hac vice*
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21
22 *Counsel for Plaintiffs*

1 **ECF ATTESTATION**

2 In accordance with Civil Local Rule 5(i)(3), I, J. Brett Grosko, attest that I have obtained
3 concurrence in the filing of this document from the other signatory listed here.

4 */s/ J. Brett Grosko*
5 Attorney for Defendants

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10 **CERTIFICATE OF SERVICE**

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12 I hereby certify that on August 15, 2022, I caused the foregoing document to be served
13 upon counsel of record, as indicated below, through the Court's electronic service system
14 (ECF/CM):

15 */s/ J. Brett Grosko*
16 Attorney for Defendants